

REMARKS

On February 28, 2008, a telephonic interview was held with the Examiner. In that interview, the undersigned informed the Examiner that Applicant was objecting to the February 20, 2008 Advisory Action on at least two grounds. First, with respect to claims 1 and 25, Applicant disagreed that the amendments made to claims 1 and 25 after final presented a newly amended feature requiring further consideration and search. Second, with respect to claim 9, Applicant asserted that the Examiner's rejection of claim 9 on the ground that it omitted essential elements was a new ground of rejection and as such could not be first presented in the Advisory Action.

On March 13, 2008, Applicant again discussed the Advisory Action with the Examiner in the context of a proposal to amend claim 9 to address the issue of omitted essential elements. A draft of an amended claim 9 was discussed with the Examiner. The Examiner has agreed to entry and consideration of amended claim 9 after final (see, amendments above). The Examiner has further agreed to consider claims 1 and 25.

Applicant petitions for a one-month extension of time to consider this response. The Office is authorized to charge any necessary fees for this extension to our deposit account 07-0153 (reference 361170-1019).

CUSTOMER NO. 32914

PATENT APPLICATION
Docket No. 61170-19USPX

In view of the foregoing, Applicant submits that the application is now in condition for favorable action and allowance.

Dated: March 13, 2008

Respectfully submitted,

By 

Andre M. Szuwalski

Registration No.: 35,701

GARDERE WYNNE SEWELL LLP

3000 Thanksgiving Tower,

1601 Elm Street

Dallas, Texas 75201

(214) 999-4795

Attorneys For Applicant